

14), including the achievement of effective coordination and maximum uniformity within the agency and within the Executive Branch of the Government in the application of title VI and this regulation to similar programs and in similar situations.

### Subparts B–D [Reserved]

### Subpart E—Nondiscrimination on the Basis of Age in FEMA Program Activities Receiving Federal Financial Assistance

AUTHORITY: Age Discrimination Act of 1975, as amended, 42 U.S.C. 26101 *et seq.* (45 CFR part 90).

SOURCE: 55 FR 23078, June 6, 1990, unless otherwise noted.

#### GENERAL

#### § 7.910 What is the purpose of the Age Discrimination Act of 1975?

The Age Discrimination Act of 1975 (the “Act”), as amended, is designed to prohibit discrimination on the basis of age in programs or activities receiving Federal financial assistance. The Act also permits federally-assisted programs and activities, and recipients of Federal funds, to continue to use certain age distinctions and factors other than age which meet the requirements of the Act and this regulation.

#### § 7.911 What is the purpose of FEMA’s age discrimination regulation?

The purpose of this regulation is to set out FEMA’s policies and procedures under the Age Discrimination Act of 1975 and the general governmentwide regulations, 45 CFR part 90. The Act and the general regulations prohibit discrimination on the basis of age in programs or activities receiving Federal financial assistance. The Act and the general regulations permit federally-assisted programs, activities, and recipients of Federal funds, to continue to use age distinctions and factors other than age which meet the requirements of the Act and its implementing regulations.

#### § 7.912 To what programs does this regulation apply?

(a) The Act and this regulation apply to each FEMA recipient and to each program or activity operated by the recipient which receives or benefits from Federal financial assistance provided by FEMA.

(b) The Act and this regulation do not apply to:

(1) An age distinction contained in that part of a Federal, State or local statute or ordinance adopted by an elected, general purpose legislative body which:

- (i) Provides any benefits or assistance to persons based on age; or
- (ii) Establishes criteria for participation in age-related terms; or
- (iii) Describes intended beneficiaries or target groups in age-related terms.

(2) Any employment practice of any employer, employment agency, labor organization, or any labor-management joint apprenticeship training program, except for any program or activity receiving Federal financial assistance for public service employment under the Job Training Partnership Act (29 U.S.C. 150, *et seq.*)

#### § 7.913 Definition of terms used in this regulation.

As used in this regulation, the term *Act* means the Age Discrimination Act of 1975 as amended (title III of Pub. L. 94-135).

*Action* means any act, activity, policy, rule, standard, or method of administration; or the use of any policy, rule, standard or method of administration.

*Age* means how old a person is, or the number of years from the date of a person’s birth.

*Age distinction* means any action using age or an age-related term.

*Age-related term* means a word or words which necessarily imply a particular age or range of ages (for example, *children*, *older persons*, but not *student*).

*Agency* means the Federal Emergency Management Agency.

*Director* means the Director of the Federal Emergency Management Agency.

*Federal financial assistance* means any grant, entitlement, loan, cooperative